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Sixty-sixth session

Agenda items 35, 39, 67 and 83

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Elimination of racism, racial discrimination, xenophobia and related intolerance

The rule of law at the national and international levels

Security Council
Sixty-seventh year

Letter dated 25 April 2012 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

According to mass media reports, the Republic of Armenia is planning to hold, in July 2012, so-called "presidential elections" in the occupied Daghlyq Garabagh (Nagorno Karabakh) region of the Republic of Azerbaijan. In this regard, on instructions from my Government, I have the honour to state the following.

It has been internationally recognized, including by the General Assembly and the Security Council, that the Daghlyq Garabagh region and seven surrounding districts of the Republic of Azerbaijan are under Armenian military occupation. Armenia used military force to occupy the territory of Azerbaijan and to establish on it the ethnically constructed subordinate separatist entity, which is ultimately nothing other than the product of aggression and racial discrimination and which survives by virtue of Armenia's political, military, economic and other support. The illegality of the separatist entity and its structures has been repeatedly stated at the international level in the most unambiguous manner. This entity is entirely unrecognized as such; it is essentially under the Republic of Armenia's direction and control.

The Republic of Azerbaijan has repeatedly stated that, despite ongoing political efforts towards the negotiated settlement of the conflict based on international law, the policy and practice of the Republic of Armenia, the occupying Power, implemented through, inter alia, various illegal activities in the occupied

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territories of Azerbaijan, clearly testify to its intention to secure the annexation of these territories.

This is not the first time that the Republic of Armenia, in open defiance of the Charter of the United Nations, fundamental principles of international law and relevant resolutions of the General Assembly and the Security Council, as well as the Constitution and national legislation of the Republic of Azerbaijan, has held so-called "elections" in the occupied Daghlyq Garabagh region of Azerbaijan. It is well established, however, that democracy cannot be propagated by the sword and that an illegal act cannot produce legal rights. Therefore, against the background of continuing aggression against and occupation and ethnic cleansing of the captured territories of Azerbaijan, the arranging of any kind of voting process there is a priori null and void and can in no way impose a unilateral solution.

The international community has unequivocally condemned all previous "elections" in the occupied Daghlyq Garabagh region of Azerbaijan. My Government therefore expects that the United Nations and its Member States will again voice their unequivocal protest against the above-mentioned provocative and illegal action, which undermines the sovereignty and territorial integrity of the Republic of Azerbaijan, demonstrates contempt for human rights and fundamental freedoms and jeopardizes the ongoing political efforts towards the settlement of the conflict. We call upon the international community to demand that the leadership of the Republic of Armenia cease its destructive policy of annexation and ethnic cleansing, renounce attempts to discredit the peace process and ensure that the occupation of the territories of Azerbaijan is ended.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 35, 39, 67 and 83, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative

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Sixty-sixth session
Agenda item 65 (a)
Promotion and protection of the rights of children

Letter dated 24 April 2012 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

I have the honour to convey to you information on the work being carried out in Uzbekistan on ensuring and protecting the rights of children (see annex).

I would highly appreciate it if you could circulate the attached information as a document of the General Assembly under agenda item 65 (a).

(*Signed*) Murad **Askarov**
Permanent Representative of the Republic of Uzbekistan

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Annex to the letter dated 24 April 2012 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

Protection of the rights and interests of children: a policy priority for the Government of Uzbekistan

Since Uzbekistan first gained its independence and declared that a strong social policy was one of the five fundamental principles of the Uzbek development model, the country has been making significant efforts to ensure and protect the rights and interests of children and young people and to implement its international commitments in that area consistently. Children make up 40 per cent of the population of Uzbekistan, with young people under the age of 30 accounting for 64 per cent of the population.

The Convention on the Rights of the Child was one of the first international instruments to which Uzbekistan adhered (on 9 December 1992) after the Constitution was adopted. In ratifying that instrument, our country undertook to comply with all of the Convention's provisions and assumed responsibility before the international community for their implementation.

A body of rights of children and young people is enshrined in the national Constitution, and those rights are also defined and guaranteed by the Civil Code (1995) and the Family Code (1998). More than 10 statutes, 30 Presidential decrees and decisions, some 40 decisions of the Cabinet of Ministers and 30 departmental regulatory instruments have been adopted, setting forth the fundamental rights of the child and how those rights are to be protected.

Implementation of the Millennium Development Goals is considered especially important, in particular, improving the quality of education, reducing child mortality and improving maternal health. A Cabinet of Ministers decision of 26 January 2011 approved a set of additional measures to implement the Millennium Development Goals in Uzbekistan for the period from 2011 to 2015 and established a working group to coordinate implementation of those measures. The decision also provides for an annual parliamentary briefing on implementation of the Goals.

The year 2012 has been declared the Year of the Family, and a programme of action of the same name was adopted. These take as their point of departure the inestimable role of the family in raising a physically healthy, emotionally mature and well-rounded generation that is capable of independent thought, and able to distinguish between good and evil and compete on an equal footing with its counterparts in developed countries, as well as the role of the family in protecting our children's health and preparing them for all that life may place in their path. The programme's goals include further reinforcing practical engagement between the institution of the family and the sphere of education, whether in kindergartens, schools, lyceums, colleges or universities.

Non-governmental organization (NGO) activity has increased appreciably, with NGOs promoting the protection of various categories of children's rights. NGOs such as the Forum of Culture and Arts of Uzbekistan Foundation, the National Association of NGOs and Non-Profit Organizations of Uzbekistan, the Association for Support of Children and Families, the Soglom Avlod Uchun Foundation, the Sen Yolgiz Emassan

Fund, the Kamolot Youth Organization, the Makhala Foundation, the Federation of Trade Unions of Uzbekistan and the Oila Centre for Research and Development also focus on implementing children's rights to education, health care and social protection, as well as monitoring the situation in the relevant areas.

The Forum of Culture and Arts of Uzbekistan Foundation (now known as the Forum Foundation, owing to its significantly expanded scope of activity, which currently includes cultural projects and initiatives with a social orientation) is making a significant contribution to the harmonious development of children.

Support for children and provision of the conditions necessary for the promotion of their rights and interests is one of the most important social areas of the Foundation's work, carried out in direct and close partnership with the Zhenskoye Sobranie (Women's Assembly) civic organization, the Mekhr Nuri (Light of Charity) Foundation and the Social Initiatives Support Foundation. Pooling their efforts, these organizations carry out dozens of projects each year designed to support children nationwide.

Central to their joint activity to support children are the establishment of free arts and sports facilities for children; the introduction into the general education system of a national inclusive education model to mainstream disabled children; the provision of material assistance to children from large families, families lacking social support and families with disabled children; and the organization of national competitions and festivals to identify, encourage (through grants) and then support gifted children. These include the Yangi Avlod Children's Arts Festival, the Bolazhonlar-Shirintoilar Children's Fashion Festival, the "Baby" International Children's Rhythmic Gymnastics Championship, the International Contemporary Choreography and Sport Plastic Art Competition and the Snezhinka (Snowflake) Gymnastics Championship.

In 2008, the Parliament of Uzbekistan ratified two highly important International Labour Organization (ILO) conventions: the Convention concerning Minimum Age for Admission to Employment (Convention No. 138) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Convention No. 182). The same year, the Government of Uzbekistan adopted a decision on measures for the implementation of these ILO conventions and a relevant national plan of action.

The national plan of action provides, among other things, for improved legislation in this area, a system for monitoring the implementation of the ILO conventions and extensive outreach to inform the public about their content. The decision includes a regulation prohibiting organizations and individuals from forcing children to work and requiring compliance with legislation setting out the rules and conditions for juvenile labour.

Another important step in this process was taken when the Cabinet of Ministers adopted on 26 March 2012 a decision on additional measures to implement in 2012 and 2013 the Convention concerning Forced or Compulsory Labour and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour ratified by the Republic of Uzbekistan.

The main purpose of the decision is to continue national implementation of the ratified ILO conventions and to strengthen legislation and adopt additional measures to prevent forced or compulsory labour and eliminate the worst forms of child labour.

This document provides for adoption of a plan on additional measures to implement in 2012 and 2013 the ILO Conventions ratified by Uzbekistan concerning Forced or Compulsory Labour and the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

An interdepartmental working group to develop proposals for improving labour legislation based on the requirements and standards of the ratified conventions has been set up within the Ministry of Justice.

In accordance with the Uzbekistan National Classification System approved by Decision No. 12-284 of 9 August 2000 of the State Standardization and Certification Agency of Uzbekistan, the working group issued an amended and expanded list of jobs with poor working conditions that individuals below the age of 18 are prohibited from performing. The relevant decision of the Ministry of Labour and Social Protection and the Ministry of Health (Decision No. 1990) was registered with the Ministry of Justice on 29 July 2009.

The interdepartmental working group was established by a decision of the Cabinet of Ministers of 25 March 2011. Its primary objectives and areas of work are the following:

- To coordinate the work of the relevant ministries, agencies and stakeholder organizations to implement measures, programmes and plans based on the ILO conventions;
- To elaborate specific programmes and actions designed to fulfil Uzbekistan's commitments deriving from the ILO conventions;
- To conduct the necessary outreach work on the content and importance of the ILO conventions being implemented in Uzbekistan;
- To engage with international organizations, including international organizations accredited in Uzbekistan, on matters of education, health care, labour, employment, social protection and social and labour legislation.

The Act on amendments and additions to the Labour Code and to the Child Rights Act (24 December 2009) makes amendments and additions to 12 articles of the Labour Code and 1 article of the Act. Minors may now be employed starting only at age 16. Persons who have attained the age of 15 may be employed with the written consent of one parent or a person acting *in loco parentis*.

In order to increase the liability of business entities and individuals who violate the ban on juvenile labour or labour legislation on persons below the age of 18, the Act on additions to the Administrative Liability Code to improve legislation to protect the rights of minors was adopted on 21 December 2009. Subsequently, statutory instruments were put in place that govern the application and enforcement of laws in that area by the relevant ministries, departments and civic organizations.

The Council of the Federation of Trade Unions of Uzbekistan, the Chamber of Commerce and Industry and the Ministry of Labour and Social Protection have adopted recommendations on collective labour agreements that include conditions and requirements for employers when hiring minors and additional benefits and safeguards for young people.

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Agenda item 43
Question of Cyprus

Security Council
Sixty-seventh year

Letter dated 26 April 2012 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 26 April 2012, addressed to you by Mr. Hilmi Akil, Representative of the Turkish Republic of Northern Cyprus (see annex).

I would be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 43, and of the Security Council.

(*Signed*) Ertuğrul **Apakan**
Ambassador
Permanent Representative

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Annex to the letter dated 26 April 2012 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letters dated 21 March 2012 and 11 April 2012, addressed to you by the Greek Cypriot representatives and circulated as documents of the General Assembly and of the Security Council (A/66/751-S/2012/173 and A/66/773-S/2012/217), which yet again contain well-known allegations of violations of "international air traffic regulations and the national airspace of the Republic of Cyprus", and to bring to your kind attention the following.

In response to such false allegations, I wish, once again, to reiterate that flights within the sovereign airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the appropriate authorities of the State, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or right of say whatsoever. It must be stated that claims of so-called violations of air traffic regulations are invalid, as the civil aviation authority of the Turkish Republic of Northern Cyprus is the only competent authority to provide air traffic and aeronautical information services.

As noted in our previous letters, such assertions are based on the false and illicit claim that the sovereignty of the Greek Cypriot administration extends over the whole island, including the territory of the Turkish Republic of Northern Cyprus. This pretentious contention by the Greek Cypriot side ignores the present realities on the island of Cyprus, namely, the existence of two independent States, each exercising sovereignty and jurisdiction within its respective territory.

Attempts by the Greek Cypriot side, through often-repeated false claims, to confer legitimacy upon an illegal administration will be futile since the Turkish Cypriot people will never give in to their unjust demands. What would indeed be conducive to a better atmosphere on the island would be for the Greek Cypriot side to stop arrogating for itself the rights and responsibilities it does not legally have, and to cease all hostilities towards the Turkish Cypriot people.

Furthermore, the Greek Cypriot administration should be reminded that its counterpart is, and has always been, the Turkish Cypriot side, not Turkey, and that its persistent denial of the Turkish Cypriot rights in the North of the island does not bode well for the prospects of a settlement of the Cyprus conflict in line with the established United Nations parameters, namely a partnership based on a bizonal, bicommunal federation with the political equality of the two constituent States.

The Greek Cypriot side's hostile stance against Turkey and the Turkish Cypriots and its use of every available outlet to repeat these fabricated accusations are in line with its policy of escalating tension between the two sides and undermining the process of negotiations on the island. The Greek Cypriot leadership's lack of enthusiasm for a settlement was further demonstrated most recently by their intense efforts to prevent the convening of the high-level international meeting which would have helped successfully conclude the process before 1 July 2012, as you also pointed out in your letter of 6 January 2012 to the two leaders.

It is unfortunate that the Turkish Cypriot side's vision of establishing a bizonal, bicommunal federation based on political equality, with two constituent States of equal status is not shared by the Greek Cypriot side, which prefers to gain time in the hope of dictating the terms of a likely settlement in the future. Their failure to reciprocate our goodwill and determination to find a just and equitable settlement to the Cyprus problem, and their unilateral, provocative actions in and around the island are not sources of encouragement for all those whose efforts are geared to the creation of conditions that would serve peace and stability in the region.

I would like to put on record once again that the Turkish Cypriot side is ready and doing its best to achieve a settlement in the form of a new partnership which will be in line with the established United Nations parameters and body of work.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 43, and of the Security Council.

(*Signed*) Hilmi **Akil**
Representative
Turkish Republic of Northern Cyprus

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Agenda item 35
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Sixty-seventh year

Identical letters dated 27 April 2012 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith a statement of the Ministry of Foreign Affairs of Georgia dated 26 April 2012, regarding the postponement of the April 24 Gali meeting of the Incident Prevention and Response Mechanisms (see annex).

I should be grateful if you would have the present letter and its annex issued as a document of the General Assembly, under agenda item 35.

(*Signed*) Alexander **Lomaia**
Ambassador
Permanent Representative

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Annex to the identical letters dated 27 April 2012 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Ministry of Foreign Affairs of Georgia

Statement of the Ministry of Foreign Affairs of Georgia regarding the postponement of the April 24 Gali meeting of the Incident Prevention and Response Mechanisms

The Ministry of Foreign Affairs of Georgia expresses its deep concern regarding the postponement of the April 24 Gali meeting of the Incident Prevention and Response Mechanisms and regarding the imminent danger of not having the European Union Monitoring Mission (EUMM) participate in the future meetings of the Mechanisms.

The Georgian side wants to stress the importance of the Incident Prevention and Response Mechanisms (IPRMs) as key instruments for dispelling tensions on the ground and confidence building. It is totally unacceptable that Moscow and its proxy regimes are attempting to unilaterally change the format and modalities of the meetings, thus undermining the whole process of the Geneva international discussions. Procedural and agenda-related aspects of the IPRMs and Geneva meetings have been agreed by all participants and observance of the established rules is absolutely crucial for maintaining smooth continuation of the negotiation process. The responsibility for hampering, or breakdown of, the dialogue formats will rest solely with Moscow.

The Georgian side would like to stress that the recent démarche against EUMM is just one component in the chain of actions aimed at diminishing the role of the international organizations acting in Georgia. The postponement of the Gali IPRM was preceded by the continuous attempts of Moscow to limit the role of EUMM and the Organization for Security and Cooperation in Europe (OSCE) in the Tskhinvali IPRM, as well as barring the entry of EUMM monitors to the occupied regions and refusing the establishment of a strong United Nations and OSCE presence on the ground. These and other démarches against EUMM clearly demonstrate that the Russian side is uncomfortable with a neutral and impartial international presence on the territory of Georgia.

The Georgian side calls on Moscow to ensure that the work of the IPRMs and the Geneva international discussions proceeds in an unhindered way and that the objections regarding the role of EUMM in the IPRMs and the Geneva international discussions are promptly removed. The Georgian side also calls on the international community to adequately assess the situation and engage in a serious dialogue with Moscow over the importance of fulfilling existing international obligations, including the withdrawal of the Russian troops and allowing the international monitors to the occupied regions.

Tbilisi, 26 April 2012